

Board of Cosmetologist Examiners

November 05, 2012 Board Meeting

9:00am, Board of Psychology Conference Room, University Park Plaza
2829 University Ave SE, Minneapolis, MN 55414

Present at Meeting:

Kurt Deile, Chair

Robert Salmonson, Member

Mary Finnegan, Member

Laurie Boggess, Member

Gina Stauss Fast, Executive Director

Michele Owen, Attorney

Maggie Shea, Assistant to the Executive Director

I. *Call to Order*

KD called the meeting to order at 9:00 am.

II. *Approval of Proposed Agenda*

LB made a motion to pass the proposed agenda.

MF seconded. 4 Ayes. 0 Nays. **Motion Carried.**

III. *Old Business*

A. Institute for Justice – Eyebrow Threading

LB How would the public know that it is an unregulated service?

AS I cannot speak to what the public knows.

LB What would consumer recourse be?

AS A majority of services offered are unregulated—if consumers believe there is fraud they can go to the Attorney General.

MF At the CIDESCO World Congress it came up whether or not threading should be allowed on the exam instead of waxing, and everyone said absolutely not because it's not professional. Do we want to be out completely?

KD Are you going to the legislature?

LM Not at this time. We would like the status quo to remain, threading should be unregulated. If the board wishes to pursue legislation we would join them.

KD I thought we were here to back a potential definition, but they want the status quo.

LM We are hoping you would interpret current and statute to not include threading.

MO You could be accused of unpromulgated rule making.

MF We are threatened with a lawsuit if we do and if we don't.

LM Our proposal is to interpret the statute to not include threaders.

KD Could we vote to interpret unregulated services to include threading?

MO If it's defined as unregulated, no other loophole would need to be closed.

MF made a motion that the board finds according to Minnesota Statute 155A.23 subdivision 3 definition of Cosmetology:

Cosmetology. 'Cosmetology' is the practice of personal services, for compensation, for the cosmetic care of the hair, nails, and skin. These services include cleaning, conditioning, shaping, reinforcing, coloring and enhancing the body surface in the areas of the head, scalp, face, arms, hands, legs , and feet, except where these services are performed by a barber under sections. 154.01, 154.02, 154.03, 154.01, 154.161, 154.19, to 154.21, and 154.24 to 154.26.

The board finds that threading does not come within the definition of cosmetology and therefore is an unregulated service under Rule 2105.0010 subdivision 13. For the purposes of this motion, threading is defined as:

Threading is a method of removing hair from the eyebrows, upper lip or other body parts by using cotton thread to pull hair from follicles. Threading does not include the use of chemicals or hot wax. Threading may include the use of (a) over-the-counter astringents, gels and powders, and (b) tweezers and scissors incidental to threading.

LB Seconded.

KD Discussion.

LB Made a motion to strike: *154.01, 154.02, 154.03* and replace with: *154.001, 154.002, 154.003*

MF seconded. 4 Ayes. 0 Nays. **Motion Carried.**

BS made a motion to strike: *hot* and replace with: *any type of*.

MF seconded. 4 Ayes. 0 Nays. **Motion Carried.**

KD Any discussion on the motion as amended? Seeing none, the members will vote.

4 Ayes. 0 Nays. **Motion Carried as amended.**

IV. *Adjournment*

BS Made a motion to adjourn

MF Seconded. 4 Ayes. 0 Nays. **Motion Carried.**